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Testimony of Kathy Whitmire**City and County of Honolulu Council
May 7, 2014****Opposition to Bill 69 – Advertising on Buses**RECEIVED
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Aloha Chair Martin and members of the City Council,

I am asking you to **vote NO on Bill 69** because Hawai'i is too beautiful for bus billboards! My name is Kathy Whitmire, and I have been a resident of the City and County of Honolulu since 2001. I live in the town of Haleiwa on the North Shore of Oahu. Before moving to Hawaii, I served as Mayor of Houston, Texas, from 1982 to 1992. During that time I worked to build a high quality public transportation system and also to protect and enhance the scenic environment. From 2000 to 2002, I chaired the Board of Directors of Scenic America, the only national organization dedicated exclusively to preservation and enhancement of the scenic environment; and from 2003 to 2008 I served on the Board of Directors of The Outdoor Circle here in Hawaii.

There are three points I would like to emphasize regarding the proposal to sell advertising space on Oahu's buses:

- Ill-advised cuts were made in Oahu's bus service a few years ago and they must be restored.

However there is no reason to believe that the City of Honolulu has to sell billboard space on the outside of its buses in order to restore these services. The money needed to restore basic bus service is a fraction of a percentage of the City's budget. I'm sure the Mayor and Council have the wisdom to manage this budget and provide basic services without selling out to advertising clutter.

- Large advertising signs on public transportation vehicles are “rolling billboards” which detract from the visual environment in the same way that billboards on the roadside do. They also detract from the positive image of the public transit system. Hawaii’s scenic beauty is a very valuable economic asset that should not be put at risk by policies that encourage the proliferation of outdoor advertising.
- Creating new venues for off-site advertising opens the door to costly litigation. Bill 69 proposes to limit the content of bus advertising; but this will result in Freedom of Speech challenges in court and the cost of fighting these lawsuits will use up much of the anticipated advertising revenue while creating a distraction for the City Council and the public.

Hawaii’s Scenic Beauty is a Valuable Economic Asset that Should Not be Put at Risk.

About 100 years ago, Hawaii’s beautiful landscape became cluttered with billboards, but laws were passed to protect Hawaii’s beauty for future generations of residents as well as visitors. As a result of these long-standing laws, Hawaii has been able to keep sign clutter from obscuring the natural beauty of its landscape. I’m sure everyone on the Budget Committee appreciates the contribution our beautiful landscape makes to the local economy. It would be a very short-sighted move to adopt policies that reverse a century of scenic conservation.

I certainly recognize the difficulties of balancing budgets, but I think the proposal to trade scenic beauty for a small revenue stream is really a false choice. I call on the City Council to insist that the managers of our public transportation system take a more creative approach to finding cost savings or other new revenues to support a quality bus system and drop their proposal to sacrifice

our valuable scenic landscapes. Please do not hold our bus service hostage to this advertising scheme!

Advertising Signs on Buses Create an Eyesore in the Urban and Rural Environment.

As you know, Hawaii is one of only four states in the United States that have no billboards. Since the State of Hawaii has had the foresight to prohibit off-premises advertising signs along its streets and highways, it may be easy to forget how ugly billboard clutter can be and how much it detracts from the beauty of the city and countryside. However in many cities across the U.S. (including my original hometown of Houston), the clutter became so ugly that it threatened the business climate and the quality of life. As a result, in the past 30 years, hundreds of cities on the mainland have passed ordinances prohibiting construction of additional billboards within their city limits. Shortly after Houston passed such an ordinance, the Board of the Metropolitan Transit Authority recognized that the “moving billboards” which then existed on its buses were detracting from the community effort to clean up the billboard clutter. Therefore the Board adopted a policy in September 1982 to eliminate advertising from all buses and replace it with an attractive graphic design. This program was well received by the community and became a part of the bus system’s efforts to improve its image and increase its ridership. Then in 1993 the Board expanded its policy to prohibit commercial advertising on any transit authority property stating that “the absence of commercial advertising on transit facilities and rights-of-way improves the appearance and encourages greater public acceptance and use of transit facilities and services and more effectively incorporates the transit system into neighborhoods”. In 2004 when Houston’s long-awaited light rail system began operation, the Board’s existing policy prohibited any advertising on the light rail cars. Although there have been many proposals to reconsider this policy in the intervening years, it remains in place and contributes to the scenic environment in Houston today.

accordance with Bill 69, the legislative history in both the City Council and State Legislature speaks clearly against this plan. "Offsite advertising" creates visual clutter distracting from Hawaii's scenic environment whether the advertising is in a fixed location or whether it is moving around our streets and highways.

Bill 69 is a step backward because it authorizes a new form of outdoor advertising to mar the environment. **I urge you to oppose Bill 69.** If I can provide any assistance or further information on this issue, please call me at 226-9612 or 293-1111 or email me at Kathyjwhit@aol.com. Thank you.

FIVE REASONS TO OPPOSE BILL 69

1. **Passing Bill 69 would reverse course on Hawaii's 100-year-old ban on billboards, opening the floodgates to more outdoor advertising in the future.** The other three counties in Hawaii do not allow advertising on private vehicles or county buses. Advertising clutter in any form detracts from the scenic beauty for which Hawaii is famous.
2. **The City will receive approximately \$4.4 million in additional funds this year from the State through the tax on tourists.** These funds should be used this year to replace the approximately \$1.5 million in bus advertising revenue the administration has included in its budget proposal.
3. **Bus service is a basic service the City should provide for all residents. It should not be held hostage to a counter-productive advertising schemes.** Honolulu used to have award-winning bus service, and did not have to sell advertising space on the outside of buses to get it.
4. **Taxpayers in other cities have paid millions for litigation over attempts to limit the content of advertising on buses in violation of free speech rights.** These litigation costs have not been considered in the budget proposal for advertising revenues. Bill 69 would also require additional government bureaucracy, including new regulations, and possibly a commission or task force to implement the bus advertising program.
5. **Honolulu's ban on billboards was challenged in court and was upheld by the 9th Circuit Court of Appeals because it was a complete ban and did not attempt to regulate the content of outdoor advertising based on other standards, like those proposed in Bill 69.** Further, the divisive and offensive nature of some advertising on buses in other cities, like San Francisco, has made residents reluctant to ride their city buses.